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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

RAYMOND WARE,)	CIVIL NO. 04-00671 HG LEK
)	
Plaintiff,)	DEFENDANT'S MOTION IN LIMINE
)	REGARDING PERSONNEL DECISIONS
v.)	OTHER THAN PLAINTIFF'S
)	TERMINATION; MEMORANDUM IN
MICHAEL CHERTOFF, Secretary,)	SUPPORT OF DEFENDANT'S MOTION
DEPARTMENT OF HOMELAND)	IN LIMINE REGARDING PERSONNEL
SECURITY,)	DECISIONS OTHER THAN
Defendant.)	PLAINTIFF'S TERMINATION;
)	EXHIBIT "A"; CERTIFICATE OF
)	SERVICE
)	
)	Trial: February 5, 2008
)	Judge: Hon. Helen Gillmor
)	

DEFENDANT'S MOTION IN LIMINE REGARDING
PERSONNEL DECISIONS OTHER THAN PLAINTIFF'S TERMINATION

Pursuant to Rules 401 through 403 and 608 of the Federal Rules of Evidence, defendant hereby moves this court to direct plaintiff to make a detailed proffer regarding evidence of personnel decisions other than the decision to terminate him that is the central issue in this case, and to exclude such evidence

to the extent the proffer fails to establish an appropriate foundation under those rules. The grounds for this motion are set forth in the attached memorandum in support.

DATED: January 15, 2008, at Honolulu, Hawaii.

EDWARD H. KUBO, JR.
United States Attorney
District of Hawaii

By /s/ Thomas A. Helper
THOMAS A. HELPER
Assistant U.S. Attorney

Attorneys for Defendant

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

RAYMOND WARE,)	CIVIL NO. 04-00671 HG LEK
)	
Plaintiff,)	CERTIFICATE OF SERVICE
)	
v.)	
)	
MICHAEL CHERTOFF, Secretary,)	
DEPARTMENT OF HOMELAND)	
SECURITY,)	
Defendant.)	
)	
_____)	

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on the date and by the method of service noted below, a true and correct copy of the foregoing was served on the following at their last known address:

Served Electronically through CM/ECF:

Daphne E. Barbee
desekmet@aloha.net

January 15, 2008

DATED: January 15, 2008, at Honolulu, Hawaii.

/s/ Coleen Tasaka-Shoda
